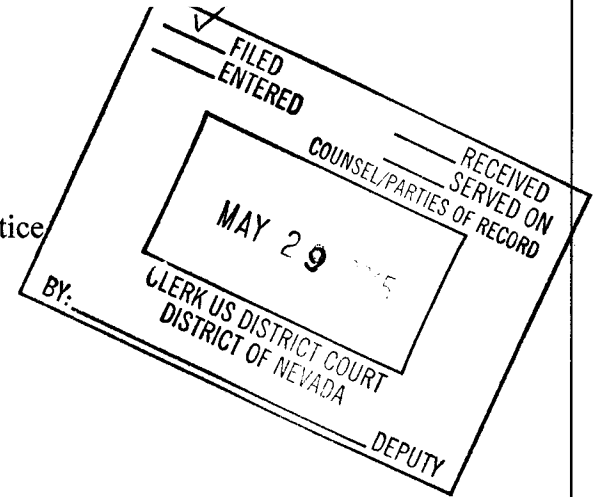


SEALED

1 DANIEL G. BOGDEN
 United States Attorney
 2 WAYNE D. HETTENBACH
 Senior Trial Attorney – United States Department of Justice
 3 DARRIN L. MCCULLOUGH
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 7



8 UNITED STATES DISTRICT COURT
 9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 ALEX JARIV,

14 Defendant.

Case no. 2:14-cr-00015-JCM-VCF

**STIPULATION TO CONTINUE
 SENTENCING AND PROPOSED ORDER**

15
 16 **IT IS HEREBY STIPULATED AND AGREED** by and between Daniel G.
 17 Bogden, United States Attorney, and Wayne D. Hettenbach, Senior Trial Attorney, Darrin
 18 McCullough, Trial Attorney, and Crane M. Pomerantz, Assistant United States Attorney, counsel
 19 for the United States of America, and John Kinchen, Esq., counsel for defendant Alex Jariv, that
 20 the sentencing hearing in the above-captioned matter, currently scheduled for June 4, 2015, be
 21 vacated and continued until a date and time after August 17, 2015. This stipulation is entered into
 22 for the following reasons:

- 23 1. Defendant Alex Jariv has been cooperating with the United States in a case in the
- 24 District of Nevada (Case No. 2:14-00006-APG-GWF) as well as the Southern District
- 25 of Texas (Case No. 12-656-02). As part of the plea agreement in the instant case, the
- 26 United States agreed to recommend to the Court that sentencing in this matter occur
- 27 after Alex Jariv's sentencing in the Southern District of Texas. Sentencing in the
- 28 Southern District of Texas is scheduled for August 17, 2015.

2. The defendant is not incarcerated and agrees to this continuance.
3. Denial of this request for continuance could result in a miscarriage of justice.
4. The additional time requested herein is not sought for purposes of delay, but to allow for defendant Alex Jariv to receive the full benefit of his previous and anticipated cooperation in both the District of Nevada and the Southern District of Texas.

DATED this 28th day of May, 2015.

By: /s/ John Kinchen
JOHN KINCEN, ESQ.
Counsel for Defendant Alex Jariv

By: /s/ Crane Pomerantz
CRANE POMERANTZ
Assistant United States Attorney
WAYNE D. HETTENBACH
Senior Trial Attorney
DARRIN L. MCCULLOUGH
Trial attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,
4

5 Plaintiff,

6 vs.

7 ALEX JARIV,
8

9 Defendant.

Case no.: 2:14-cr-00015-JCM-VCF

**ORDER TO CONTINUE SENTENCING
HEARING**

10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore,
12 the Court finds that:

- 13 1. Defendant Alex Jariv has been cooperating with the United States in a case in the
14 District of Nevada (Case No. 2:14-00006-APG-GWF) as well as the Southern District
15 of Texas (Case No. 12-656-02). As part of the plea agreement in the instant case, the
16 United States agreed to recommend to the Court that sentencing in this matter occur
17 after Alex Jariv's sentencing in the Southern District of Texas. Sentencing in the
18 Southern District of Texas is scheduled for August 17, 2015.
19
20 2. The defendant is not in custody and does not object to a continuance.
21
22 3. Denial of this request for continuance could result in a miscarriage of justice.
23
24 4. The additional time requested herein is not sought for purposes of delay, but to allow
25 for defendant Alex Jariv to receive the full benefit of his previous and anticipated
26 cooperation in both the District of Nevada and the Southern District of Texas.
27
28 5. Denial of this request for a continuance could result in a miscarriage of justice.

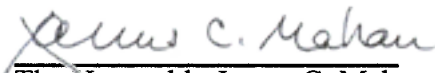
CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, insofar as it would deny defendant Alex Jariv the opportunity to fully benefit from his cooperation, taking into account the exercise of due diligence.

Based upon the stipulation of counsel, and good cause appearing:

IT IS HEREBY ORDERED that the sentencing hearing currently scheduled for June 4, 2015, be VACATED and continued to August 18, 2015 at 10:00 a.m./p.m.

DATED June 1, 2015.


The Honorable James C. Mahan
United States District Judge

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify that I am an employee of , and that on this 28th day of May, 2015, I did cause a true copy of

STIPULATION TO CONTINUE SENTENCING AND PROPOSED ORDER

to be served via electronic mail to:

Crane Pomerantz: crane.pomerantz@usdoj.gov
Assistant US Attorney

By /s/ Krystle Platero
An Employee of
LEWIS BRISBOIS BISGAARD & SMITH LLP